

5321. Adulteration of frozen egg yolks. U. S. * * * v. 60 Cans * * * of Frozen Egg Product. Consent decree of condemnation and forfeiture. Product ordered released on bond. (F. & D. No. 7777. I. S. No. 11721-m. S. No. C-572.)

On October 20, 1916, the United States attorney for the Northern District of Ohio, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 60 cans, each containing 30 pounds of frozen egg product, remaining unsold in the original unbroken packages at Cleveland, Ohio, alleging that the article had been shipped on or about August 3, 1916, by John Layton Co., Inc., Chicago, Ill., and transported from the State of Illinois into the State of Ohio, and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part: "Egg Yolks * * *."

Adulteration of the article was alleged in the libel for the reason that it consisted in whole or in part of decomposed animal matter, the presence of which in the article rendered the same a filthy and decomposed animal substance.

On January 13, 1917, the John Layton Co., Inc., New York, N. Y., claimant, having consented to a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be delivered to said claimant after the obliteration of all labels and marks on said cans, the payment of the cost of the proceedings, and the execution of a bond by the claimant in the sum of \$100, in conformity with section 10 of the act.

R. A. PEARSON, *Acting Secretary of Agriculture.*